

## **WARREN COUNTY BOARD OF SUPERVISORS**

COMMITTEE: **FINANCE**

DATE: **FEBRUARY 6, 2008**

### **Committee Members Present:**

Supervisors	Stec
	Belden
	O'Connor
	Bentley
	Champagne
	VanNess
	Kenny
	Merlino

### **Committee Member Absent:**

Supervisor	Tessier
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### **Others Present:**

Fred Monroe, Chairman  
Hal Payne, Commissioner of  
Administrative & Fiscal Services  
Joan Sady, Clerk  
Paul Dusek, County Attorney  
JoAnn McKinstry, Deputy Commissioner of  
Administrative & Fiscal Services  
Supervisor Geraghty  
Supervisor Haskell  
Supervisor Sheehan  
Supervisor Sokol  
Supervisor Strainer  
Paul Butler, Director, Parks, Recreation &  
Railroad  
William Lamy, Superintendent, DPW  
Todd Lunt, Director, Human Resources  
Frank O'Keefe, County Treasurer  
Marv Lemery, Director, Office of Emergency  
Services  
Karen Putney, Administrator, Fire Prevention  
& Building Codes  
Joanne Collins, Legislative Office Specialist  
Nicole Livingston, Deputy Clerk

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Mr. Stec called the meeting to order at 10:52 a.m.

Motion was made by Mr. Belden, seconded by Mr. Kenny and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Copies of the Finance Agenda were provided to the Committee members, and a copy of same is on file with the minutes.

Mr. Stec commenced the Agenda review with Item 1, which was a request for Marilyn VanDyke, of the Warren County Historical Society, to provide a status report on the Warren County History book. He acknowledged that Ms. VanDyke was not present; however, he said, John Austin, Warren County Historian, was here to provide the report on Ms. VanDykes' behalf.

Privilege of the floor was extended to Mr. Austin for the status report on the Warren County History book. Mr. Austin advised the book was progressing very well and that

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to date, twelve chapters had been completed, edited and reviewed. He noted March 31<sup>st</sup> was the deadline for the final four chapters to be submitted for edit and review, as well as the deadline for authors to submit photos, suggestions and acknowledgments. He reviewed various costs for production of the book and methods of fund-raising to cover such. He concluded that the Society thanked the Board of Supervisors for their continued annual support.

Mr. Belden asked if the book was in line with the original time frame that had been projected and Mr. Austin replied he believed the book was on target and they expected its release this year. Mr. Stec thanked Mr. Austin for providing the status report.

Returning to the Agenda review, Mr. Stec stated Item 2 were the requests for Transfer of Funds which were attached for Committee approval. He noted that Supervisory Committee approval had been obtained as necessary.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried unanimously to approve Item 2 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec said Item 3 was a referral from the Human Services Committee, Office for the Aging, requesting to amend the 2008 County budget to increase estimated revenues and appropriations in the amount of \$46,667 to expend Title IIIIE carry-over funds.

Motion was made by Mr. Bentley and seconded by Mr. VanNess to approve the request as presented.

Mr. Merlino questioned where these revenues were coming from and Joan Sady, Clerk of the Board, responded that these were federal funds that had been received in 2007 and not used and were allowed to be carried over to 2008.

Following discussions, Mr. Stec called the question and the motion was carried unanimously to approve Item 3 as outlined above. The necessary resolution was authorized for the next board meeting. *(Subsequent to the meeting, it was determined that the budget amendment would be in the amount of \$40,834 and that the County share of the Title IIIIE funds (\$5,833) would be provided through a transfer from Contingent Fund (A.1990 469) as this amount was not included in the 2008 OFA Budget.)*

Mr. Stec apprised Items 4A and B were referrals from the Public Safety Committee. Item 4A, he said, was referred from the Fire Prevention & Building Code Enforcement Department, requesting to amend the 2008 County budget to increase estimated revenues and appropriations in the amount of \$14,000 to purchase a County vehicle.

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Motion was made by Mr. VanNess and seconded by Mr. Bentley to approve the request as presented.

Mrs. Sady noted the funds to purchase the vehicle were included in the recently approved bond. Mr. Kenny asked what the vehicle was needed for and Mr. VanNess replied this vehicle would be for the new employee in that Department. He added that the request had been presented last August; however, he said, it was recommended by the Budget Officer that the request be postponed until January of 2008.

Karen Putney, Administrator of Fire Prevention & Building Codes, explained she had also researched the concept of the DPW Shop servicing the vehicles in her Department as a cost savings to the County and she would be pursuing that as opposed to the contract that she had with an outside agency.

Following discussions, Mr. Stec called the question and the motion was carried unanimously to approve Item 4A as outlined above, and the necessary resolution was authorized for the next board meeting. *(Subsequent to the meeting, it was determined that the vehicle purchase would be accomplished through a transfer of funds within the Department budget and not a budget amendment, based on a decision by the Budget Officer at the Budget Committee meeting which followed the Finance Committee meeting.)*

Mr. Stec continued and expounded Item 4B was referred from the Sheriff & Communications Office, requesting to amend the 2008 County budget to increase estimated revenues and appropriations in the amount of \$19,300 for equipment purchases.

Motion was made by Mr. VanNess and seconded by Mr. Bentley to approve the request as presented.

Mr. O'Connor questioned what equipment would be purchased with these funds. Mrs. Sady explained the Sheriff's equipment budget had been reduced during the budget process and there was equipment Sheriff York needed to continue to run the Office efficiently; therefore, she said, Rick Murphy, Deputy Commissioner of Fiscal Services, was able to locate funds under State Aid that could be used to make the purchases.

Following discussions, Mr. Stec called the question and the motion was carried unanimously to approve Item 4B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec apprised Items 5A through D were referrals from the Public Works Committee. Item 5A was referred from the Airport, requesting to increase Capital Project No. H279.9550 280-Construct Runway 12-30 Rehabilitation, in the amount of \$1,481,211 to award contracts and commence the project, with the source of funding to be the

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FAA Grant in the amount of \$1,410,000; New York State Department of Transportation (NYSDOT) Grant in the amount of \$37,105; and a transfer from A9950.910-Transfers-Capital Projects in the amount of \$34,106.

Motion was made by Mr. Belden, seconded by Mr. Champagne and carried unanimously to approve Item 5A as outlined above, and the necessary resolution was authorized for the next board meeting.

Item 5B, Mr. Stec stated, was a request to increase Capital Reserve Project No. H264.9550 280-Construction of Runway 1 Safety Area, in the amount of \$110,000 for wetland mitigation design and construction monitoring services, with the source of funding to be the FAA Grant in the amount of \$104,500; NYSDOT Grant in the amount of \$2,750; and a transfer from A9950.910-Transfers-Capital Projects in the amount of \$2,750.

Motion was made by Mr. Champagne, seconded by Mr. Kenny and carried unanimously to approve Item 5B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec noted Items 5C and D were referred from DPW. Item 5C, he said, was a request to increase Capital Project No. H259.9550 280-Grist Mill Bridge over Stony Creek, in the amount of \$53,570 to advance the ROW (Right of Way) phase of the project, with the source of funding to be by the Supplemental Agreement to the Master Agreement. He added that no local match was required at this time.

Motion was made by Mr. Champagne, seconded by Mr. Bentley and carried unanimously to approve Item 5C as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec stated Item 5D was a request increase Capital Project No. H258.9550 280-Tannery Road Bridge over Stony Creek, in the amount of \$61,500 to advance the ROW (Right of Way) phase of the project, with the source of funding to be by the Supplemental Agreement to the Master Agreement and, he said, no local match was required at this time.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried unanimously to approve Item 5D as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec expounded Item 6 was a referral from the Social Services Committee, requesting to amend the 2008 County budget to increase estimated revenues and appropriations in the amount of \$50,000 to support two temporary Clerk positions, one in Medicaid and one in Food Stamps, using Food Stamp Bonus funding of \$25,000 and Medicaid Administration funding.

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Motion was made by Mr. Bentley, seconded by Mr. Kenny and carried unanimously to approve Item 6 as outlined above, and the necessary resolution was authorized for the next board meeting.

Continuing, Mr. Stec advised Item 7 was a referral from the Tourism Committee, requesting to amend the 2008 County budget to increase estimated revenues and appropriations in the amount of \$2,840 to reflect receipt of Consumer Show brochure distribution.

Motion was made by Mr. Kenny, seconded by Mr. Belden and carried unanimously to approve Item 7 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec stated Item 8 was a referral from the Commissioner of Administrative & Fiscal Services, requesting to authorize payment for further engineering services in connection with the proposed Health and Human Services building project in an amount not to exceed \$20,000.

Motion was made by Mr. Bentley, seconded by Mr. Champagne and carried unanimously to approve Item 8 as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec said Items 9A and B were requests from Paul Dusek, County Attorney, to address the Committee. Item 9A, he noted, was regarding the issue of forest preserve taxation and the need to hire an attorney.

Mr. Dusek reminded the Committee members that this issue came from a Supreme Court case in Chautauqua County in which a decision was made that the State could not pay taxes on State-owned land to a municipality, unless they were paying taxes on a similar type of property elsewhere in the State. He added that the concern had rippled throughout the Adirondack Park counties because if the State stopped paying taxes it would dramatically affect the financing of local governments. He noted that Warren County would be significantly affected in the millions of dollars that the State currently paid towards the tax base. Mr. Dusek said that Chairman Monroe had been very involved in this matter and had encouraged him to reach out to other counties that had similar interests. He stated that in doing so, he determined Herkimer, Lewis, Franklin, Hamilton, Washington, Essex and Saratoga Counties were interested in getting involved and were concerned about this court decision.

Mr. Dusek further explained that the consensus that had been reached was that the New York State Attorney General would be taking this court decision up on appeals to the Appellate Division and challenging the decision, seeking to get it overturned on behalf of the State. He added that the Counties involved were concerned because they did not feel that the Attorney General's interest was the same as the Counties. He

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noted that the thought had been that the Counties and other affected groups should file their own amicus brief together with the Attorney General. Mr. Dusek advised if all the interested Counties got together, it would be logical to hire an attorney to handle this and all of the Counties would split the cost for such. He questioned if the Committee would support a multi-county coalition and the hiring of counsel to move forward. He said he estimated the cost to Warren County would be approximately \$4,000 to \$5,000.

Motion was made by Mr. Bentley and seconded by Mr. Belden to accept Mr. Dusek's recommendation and pursue the hiring of an attorney to represent the Counties interest in appealing the aforementioned case at the Appellate Division.

Mr. O'Connor questioned if the County Attorney's involved had an idea of the attorney they would like to hire and Mr. Dusek replied there were three very competent attorney's they were considering. Mr. Dusek added that the total cost for the appeal could be \$25,000. Chairman Monroe noted if the State stopped paying taxes on State-owned land, the total impact to the County would be \$6.2 million.

Mr. Bentley amended his motion to include an amount not to exceed \$10,000 and Mr. Belden seconded the amended motion. Mr. Dusek advised he had a contractual line in his budget to cover the costs for this.

Mr. Stec called the question and the motion was carried unanimously to accept Mr. Dusek's recommendation and pursue the hiring of an attorney to represent the Counties interest in appealing the aforementioned case at the Appellate Division for an amount not to exceed \$10,000 and the source of funding shall come from the County Attorney's contractual expense budget code. The necessary resolution was authorized for the next board meeting.

Mr. Stec said Item 9B was for Mr. Dusek to address the Committee regarding the Conservation Easement for the Gaslight Village property and finalizing the purchase.

Mr. Dusek announced the Conservation Easement had been finalized and the Committee members had a copy of such included in the Agenda packets. Also included, he stated, was an Agreement whereby the environmental groups would buy in to the transaction with their contribution of \$2.1 million. He noted that in the Agreement there was a possible sale to the Glens Falls National Bank and Trust Company. He explained that the Bank owned a piece of property near the project site and they wanted to purchase approximately 1/4 acre of the parcel to expand their parking. If there were any affect of that purchase, he added, it would affect the environmentalists piece and if it did not have an impact on the project the sale would go through and all involved parties would share, pro-rata, in the money received from the sale which had a projected sale price of \$200,000.

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Mr. Dusek apprised that the Wood Foundation was looking to close on the property on February 29, 2008 and therefore the Board of Supervisors would need to adopt resolutions authorizing the Conservation Easement, the Agreement and several aspects of the transaction, including an escrow agreement which needed to be developed relating to the contamination on the property and an inter-municipal agreement which would need to be amended with regard to the Town and Village of Lake George and the County. Concerning the inter-municipal agreement, Mr. Dusek said the decision of how the title on the property should be held between the Town, Village and County needed to be reached as well. He explained that the original plan had been a split of 1/3, 1/3 and 1/3 for the municipalities; however, he stated, the shares were now different from that plan. He expounded one idea was that it could be split based upon how much money was being paid by each. He noted another issue was how the share of taxes that had to be paid would be handled and how the profits would be shared, if there were any.

Mr. Belden clarified that the Village and Town of Lake George were paying \$350,000 each for the purchase of the property and the County was paying \$1.3 million and Mr. Dusek agreed that was correct. Mr. Belden said the shares should be split by how much each municipality was contributing. Mr. Stec suggested that the ownership, the taxes and any future revenues be split based on a proration on how much was invested. Mr. Dusek apprised a resolution passed by the full Board of Supervisors would allow for the transaction to take place on February 29, 2008.

Motion was made by Mr. Belden and seconded by Mr. VanNess to authorize the County Attorney to prepare all the necessary resolutions related to the purchase of the Gaslight Village property and to include that all of the taxes, ownership and revenues be split proportionately between the three municipalities according to how much was contributed towards the purchase of the property.

Chairman Monroe reminded the Committee members that the Town of Lake George would be doing a substantial amount of the maintenance, as may the Village. He agreed that it made sense to share the ownership between the municipalities according to investments; however, he said, another issue to consider was that the Town and Village could spend quite a bit of money on maintenance and the County may want to share the expenses and revenues with the Town and Village. Mr. Dusek stated that to date, the County would only be handling the costs associated with the maintenance of the stormwater project once it was completed. He further explained that the Village would be doing the maintenance on the bathrooms, trash removal and clean-up of the property and the Town would take over the maintenance of the buildings and roads.

Following the discussions, Mr. Stec called the question and the motion was carried unanimously to authorize the County Attorney to prepare all the necessary resolutions related to the purchase of the Gaslight Village property and to include that all of the taxes, ownership and revenues be split proportionately between the three

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municipalities according to how much was contributed towards the purchase of the property. The necessary resolutions were authorized for the next board meeting.

Returning to the Agenda review, Mr. Stec apprised Items 10A through F consisted of annual resolutions that required action. Item 10A, he said, was a request to authorize an agreement with the City of Glens Falls for capital improvements and operation and maintenance for various recreational facilities, in the amount of \$172,411 (\$150,000 plus \$22,411 in unexpended funds from the 2006 contract).

Motion was made by Mr. Kenny and seconded by Mr. VanNess to approve the request as presented.

Mr. Belden questioned if the City provided the County with a list of how the funds would be used and Mrs. Sady replied affirmatively. Mr. VanNess suggested that it be included in the motion that the payment be contingent upon receiving the quarterly reports from the City and that all of the funds be utilized.

Mr. O'Connor confirmed that the funds were spent last year; however, he noted, those expenditures were not able to be verified with the County due to changes in administration in the City.

Mr. Kenny amended his motion to include that the payment be contingent upon receiving the quarterly reports from the City and that all of the funds be utilized and Mr. VanNess seconded the amended motion.

Following discussions, Mr. Stec called the question and the motion was carried unanimously to approve Item 10A with the inclusion that the payment be contingent upon receiving the quarterly reports from the City and that all of the funds be utilized. The necessary resolution was authorized for the next board meeting.

Item 10B, Mr. Stec expounded, was a request to authorize agreement with Comlinks Cooperative Gleaning Program in the amount of \$4,000 for 2008.

Motion was made by Mr. Belden, seconded by Mr. Kenny and carried unanimously to approve Item 10B as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec stated Item 10C was a request to authorize an agreement with Warren/Washington Counties Homeless Youth Coalition for 2008 financial support in the amount of \$25,000.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried unanimously to approve Item 10C as outlined above, and the necessary resolution was authorized for the next board meeting.



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Mr. Stec noted Item 10D was a request to authorize an agreement with Saga City and Warren County-Glens Falls Sister City Organization in the amount of \$5,000 for 2008.

Motion was made by Mr. VanNess, seconded by Mr. Kenny and carried unanimously to approve Item 10C as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec said Item 10E was a request to authorize an agreement with the Warren County Economic Development Corporation in the amount of \$300,000 to support 2008 economic development programs.

Motion was made by Mr. Champagne, seconded by Mr. Belden and carried unanimously to approve Item 10E as outlined above, and the necessary resolution was authorized for the next board meeting.

Mr. Stec advised Item 10F was a request to authorize an agreement with the Warren County Historical Society regarding production of local history book of Warren County and historical/educational programs.

Motion was made by Mr. Champagne and seconded by Mr. Bentley to approve the request as presented.

Mr. O'Connor asked what the cost of this agreement would be and Mrs. Sady explained it was for a total cost of \$5,000; \$2,500 towards educational programs and \$2,500 towards the production of the Warren County History book.

Following discussions, Mr. Stec called the question and the motion was carried unanimously to approve Item 10F as outlined above, and the necessary resolution was authorized for the next board meeting.

Concluding the Agenda review, Mr. Stec said Item 11 requested Finance Committee action on the following items as approved by the Personnel Committee: Item Nos. 1A, 1B, 2E, 2F, 2G, 2H, 2I, 2J, 2K, 2L, 4A, 4C, 5H, 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H, 7I, 7J, 7K and 9.

Motion was made by Mr. Belden, seconded by Mr. Bentley and carried unanimously to approve Item 11 as outlined above.

There being no further business to come before the Committee, on motion made by Mr. VanNess and seconded by Mr. Belden, Mr. Stec adjourned the meeting at 11:26 a.m.

Respectfully submitted,

Nicole Livingston, Deputy Clerk